

JUN 06 2003

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450, Alexandria, Virginia 22313-1450

Application Number	09/761,624
Filing Date	January 17, 2001
First Named Inventor	Alan L. Everett
Art Unit	3752
Examiner Name	C. Kim
Attorney Docket No.	29627.0006

TECHNOLOGY CENTER R3700

JUN 10 2003

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on May 6, 2003
(Any unentered amendment(s) referred to above will be entered.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 08-2442
- i. ☐ RCE fee required under 37 CFR 1.17(e) 06/09/2003 RWOXDAF1 00000024 09761624
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 375.00 OP
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 375.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	Martin G. Linihan	Registration No. (Attorney/Agent)	24,926
Signature	<i>Martin G. Linihan</i>	Date	June 2, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Martin G. Linihan	Date	June 2, 2003
Signature	<i>Martin G. Linihan</i>		

JUN 06 2003

FEE TRANSMITTAL
for FY 2003

Effective 01/01/2003. Patent Fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$635.00)

Application Number 09/761,624

Filing Date January 17, 2001

First Named Inventor Alan L. Everett

Examiner Name C. Kim

Group/Art Unit 3752

Attorney Docket Number 29627.0006

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METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☐ Deposit Account: Deposit Account Number: 08-2442

Deposit Account Name: Hodgeson Russ LLP

The Commissioner is hereby authorized to (check all that apply)

☐ Charge fee(s) indicated below☒ Charge any fee deficiencies or credit any overpayments☐ Charge any additional fees during pendency of this application.☐ Charge fees indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	\$
1002	330	2002	165	Design filing fee	\$
1003	520	2003	260	Plant filing fee	\$
1004	750	2004	375	Reissue filing fee	\$
1005	160	2005	80	Provisional filing fee	\$
SUBTOTAL (1)					\$0

3. ADDITIONAL FEES

Large Entity

Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	\$
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	\$
1053	130	1053	130	Non-English specification	\$
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	\$
1804	920*	1804	920*	Requesting Publication of SIR prior to Examiner Action	\$
1805	1,840*	1805	1,840*	Requesting Publication of SIR after Examiner Action	\$
1251	110	2251	55	Extension for reply within first month	\$
1252	410	2252	205	Extension for reply within second month	\$
1253	930	2253	465	Extension for reply within third month	\$
1254	1,450	2254	725	Extension for reply within fourth month	\$
1255	1,970	2255	985	Extension for reply within fifth month	\$260
1401	320	2401	160	Notice of Appeal	\$
1402	320	2402	160	Filing a brief in support of an appeal	\$
1403	280	2403	140	Request for oral hearing	\$
1451	1,510	1451	1,510	Petition to institute a public use proceeding	\$
1452	110	2452	55	Petition to revive - unavoidable	\$
1453	1,300	2453	650	Petition to revive - unintentional	\$
1501	1,300	2501	650	10 advance copies	\$
1502	470	2502	235	Utility issue fee (or reissue)	\$
1503	630	2503	315	Design issue fee	\$
1460	130	1460	130	Plant issue fee	\$
1807	50	1807	50	Petitions to the Commissioner	\$
1806	180	1806	180	Processing fee under 37 CFR 1.17(q)	\$
8021	40	8021	40	Submission of Information Disclosure Statement	\$
1809	750	2809	375	Recording each patent assignment per property (times number of properties)	\$
1810	750	2810	375	Filing a submission after final rejection(37 CFR 1.129(a))	\$
1801	750	2801	375	For each add'l invention to be examined(37 CFR1.129(b))	\$
1802	900	1802	900	Request For Continued Examination (RCE)	\$375
				Request for Expedited Examination of a design application	\$
				Other fee (specify)	\$
				*Reduced by basic filing fee paid	\$635
				SUBTOTAL (3)	\$635

SIGNATURE: Martin G. Linihan

Martin G. Linihan Reg. No. 24,926

DATE: June 2, 2003 Telephone: (716) 848-1367

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on June 2, 2003

Name
Martin G. Linihan

Signature

Date of Signature
June 2, 2003

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